

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – APRIL 7, 2015**

The meeting was called to order at 9:00 A.M. with Commissioners Arthaud, Kasian, and Kessel in attendance.

Others present during portions of the meeting were: Laura Grzanic, Jon Cameron, Road Superintendent Jeff Iverson, Sheriff Pat Rummel, Alvin Klem, Jerry Krushensky, Aaron Pietiva, Tim Hlebechuk, Dave Sand, Bob Deseti, Paul Dvorak, Mike Cavanaugh, Tommy Brown, Justin Hyndman, Clarence Sitter, Deputy Auditor Connie Hartman.

Kessel moved to approve the minutes from the March 5, 2015 regular meeting. Kasian seconded. All voted aye.

Jon Cameron, Regional Director for Senator John Hoeven was present to meet with the commission regarding grazing legislation as well as plans for future projects.

Road Superintendent Jeff Iverson presented a resolution from the North Dakota Department of Transportation awarding Project number SC-0400(002) for CMC 0427 & 0408 – 2 miles north and 3 miles east of south Fairfield to Asphalt Surface Technologies Corp. with a bid total of \$597,969.14. This is a federal aid project and will be partially paid by special road and bridge funds. Kessel moved to adopt Resolution 2015-13. Kasian seconded. All voted aye. Resolution 2015-13 is on file in the Billings County Auditor's office.

The board discussed Mike's Creek Road. The road is in disrepair. There is a culvert that is washed out and there are concerns replacing it due to certain aquatic species. The board directed Road Superintendent Iverson to find out if keeping part of the road maintained would be an option.

The board reviewed a letter to the North Dakota Department of Transportation regarding the roads in Billings County that are considered County Major Collector routes. Chairman Arthaud signed. These major collectors are determined by NDDOT and Federal Highway due to the use on certain roads.

Road superintendent Iverson presented his monthly report. Laura Grzanic was present to ask questions regarding the 38<sup>th</sup> street project. The contractor should begin work again on Monday, April 13.

Sheriff Pat Rummel was present to give his monthly report. He also presented Resolution 2015-14. Kasian moved to approve the resolution. Kessel seconded. All voted aye. Resolution 2015-14 reads as follows:

**RESOLUTION NO: 2015-14  
Fire Emergency Order**

**WHEREAS**, the Billings County Board of County Commissioners recognizes that current conditions have created an extreme risk to the citizens and property within Billings County, ND, of unnecessary loss by fire; and

**WHEREAS**, the Board wishes to regulate activities within the County which pose a potential hazard for such loss, should the present weather conditions continue.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BILLINGS COUNTY IS DECLARED UNDER A FIRE EMERGENCY ORDER AND A BURN BAN IS IN FORCE.**

1. No travel is to be allowed off of surfaced roadways normally used for vehicular traffic except as necessary for normal farmer/rancher or industry operations.
2. Industrial operating crews and farmer/rancher operations shall have fire extinguishers and normal fire-fighting equipment at hand, and industrial personnel shall remain at the job site for one-half hour after daily operations are completed.
3. Smoking is restricted to inside of vehicles or buildings.
4. Burn ban to include any open burning which includes a ban on the ignition of fireworks, garbage or pit burning and campfires.
5. This burn ban is in effect for Billings County when the North Dakota Fire Danger Rating is in the High, Very High or Extreme and/or a Red Flag Warning has been issued for Billings County.

Pursuant to NDCC 37-17.1-10, any person who willfully violates the burning ban established by this resolution is guilty of a Class B Misdemeanor (UP TO 30 DAYS IN JAIL AND A \$1000.00 FINE.), and restitution of fire suppression costs may be sought from the court.

Dated at Medora, ND, this 7<sup>th</sup> day of April 2015.  
Billings County, North Dakota

By: \_\_\_\_\_  
James Arthaud, Board Chairman

Attest: \_\_\_\_\_  
Marcia Lamb, County Auditor

The board reviewed zoning requests that had been addressed by the zoning board at their March 19, 2015 meeting as follows:

Taylor Robb: Application for a minor subdivision to split a 2.28 acre parcel in the NE1/4NE1/4 34-141-99 into two 1.14 acre tracts (2915 Hwy 85 SW). Variance also requested for the size of the lots. Property is zoned residential. The zoning board approved the application and variance. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

The board received and approved the following permits with road superintendent conditions:

ARW Permits

- Doug Nelson – Section 32-139-102 along 148<sup>th</sup> Ave SW
- Consolidated Telecom – Various locations on file in the Billings County Auditor's office to place fiber optic cable

Pipeline Permits

- Northwest Water Transfer – Sections 8,17,18,19-144-102 for a temporary freshwater pipeline. Brent Barner was present and stated that BLM, Forest Service and landowners have approved. Contingent upon the permissions being in writing and presented to this office, the commission approved.
- Belle Fourche Pipeline Company – Sections 15&16-141-98 for a crude oil pipeline

11:00 bid opening for project number COIB-0434(055) Sully Creek Road – There were a total of 7 bids received. States Attorney Brovold was present to open the bids as followed: 24/7 Contracting Services, LLC \$203,765.35, Edward H Schwartz Construction Inc \$262,346.56; EHC, LLC \$424,305.80; Hlebechuk Construction \$281,182.50; J & S Construction Inc. \$262,257.44; J. Koski Co. \$276,790.30; Central Specialties Inc \$361,772.50. Kessel moved to approve the low bid of 24/7 Contracting Services contingent upon the mathematical calculations being correct. Kasian seconded. All voted aye.

At 11:11 bid opening for project number CP-04(14)01 8<sup>th</sup> Street SW – States Attorney Brovold was present to open the bids as followed: Hlebechuk Construction Inc \$644,694.74; YHouderian Construction Inc \$659,373.46; Martin Construction Inc. \$699,790.00; J & S Construction Inc \$727,484.49; Edward H Schwartz Construction Inc \$838,215.44; Gratech Company, LLC \$866,496.46; JR Civil, LLC \$869,304.67; J. Koski Co. \$895,648.19; Central Specialties Inc \$907,665.61; Meyer Contracting Inc. \$925,343.72; 24/7 Contracting Services LLC \$1,154,019.14. No other bids were received by the official bid opening time of 11:30A.M.. Kasian moved to approve the low bid of Hlebechuk Construction Inc contingent upon the mathematical calculations being correct. Kessel seconded. All voted aye.

Justin Hyndman from KLJ was present for the monthly engineer's report. He presented a master service agreement for review. Chairman Arthaud signed two task orders.

The board recessed from 12:00 to 1:00 P.M.

The Public Hearing for the Theodore Roosevelt Medora Foundation Life Skills Center Bond issue was opened at 1:00pm as scheduled. Clarence Sitter presented an overview of the Life Skills Center project. No one appeared against the request. Kessel moved to approve the Mida Bond request. Kasian seconded. All voted aye.

Auditor Lamb presented the quarterly investment and pledge report. Kessel moved to approve. Kasian seconded. All voted aye.

The board approved the revenue vouchers for the month of March: Recorder \$4,882.26; Zoning \$225.00; Court \$115.00; Sheriff \$140.50

Revenues for materials and/or services rendered in March: Doug Hecker \$505.06 health insurance; Rodney Syminow \$702.00 Dozer; Jason Downing \$189.20 scoria & hauling. Weed Spraying Terry Tachenko \$635.50, Joe Armbrust \$31.14, Randolph Kuntz \$390.21, EMS Services \$1,476.00

Revenues for the month of March: Sheriff \$15,247.20 overload fees; Sheriff \$8,707.50 permits, Sheriff \$385.00 24/7 payments; Highway Tax Distribution \$14,115.73; Oil & Gas Production Tax \$97,787.71; Interest \$2,620.04; Royalties \$27,663.70; Unorganized Oil & Gas Production Tax \$28,663.46; Bank Head Jones \$6,344,399.50; State Aid Distribution \$7,601.00; BLM \$332,533.10; Telecommunications Tax Distribution \$24,310.85.

The following claims were approved for payment:

PAYEE	CHECK #	AMOUNT
Blue Cross Blue Shield	009128	\$ 2,791.10
N.D. P.E.R.S.	009129	\$ 41,111.16
Advanced Business Methods	009130	\$ 17.92
AirGas On-Site Safety Services	009131	\$ 1,059.00
Alternative Sanitation	009132	\$ 220.00
Ameripride Linen Service	009133	\$ 265.75
Applied Concepts, Inc.	009134	\$ 2,467.50
Aspen Mills	009135	\$ 371.91
A T & T Mobility	009136	\$ 72.27
ATCO International	009137	\$ 142.00
Bakken Hydraulic & Machine, Inc.	009138	\$ 285.00
Belfield Automotive Supply, Inc.	009139	\$ 2,101.70
Best Energy	009140	\$ 7,562.20
Billings County Rural Fire District	009141	\$ 2,408.38
Billings County Pioneer	009142	\$ 1,300.32
Billings County School District	009143	\$ 24,339.43
Billings County Sheriff	009144	\$ 359.08
Bound Tree Medical	009145	\$ 470.78
Brooks & Associates, C. E.	009146	\$ 485.42
Brownell's, Inc.	009147	\$ 223.95
Bullseye Sporting Goods	009148	\$ 1,250.00
Butler Machinery Co.	009149	\$ 1,209.63
Cassidy, Dr. Michael	009150	\$ 1,000.00
Cedar Fencing	009151	\$ 47,722.50
Cerkoney, Cathy	009152	\$ 90.25
Chief Law Enforcement Supply	009153	\$ 42.04
Comfort Inn – Bismarck	009154	\$ 148.00
Comfort Suites – Bismarck	009155	\$ 74.00
Complete Crete	009156	\$ 2,130.64
Creative Energy	009157	\$ 122.63
Dakota Farm Equipment, Inc.	009158	\$ 11,900.00
Dakota Farm Equipment, Inc.	009159	\$ 150.95
Dakota Filter Supply	009160	\$ 545.67
Dan's Interstate Conoco, Inc.	009161	\$ 152.00
Deans Distributing	009162	\$ 142.80
Dell Marketing, LP	009163	\$ 1,062.36
Dickinson Public Library	009164	\$ 2,501.82
DJ's Tesoro	009165	\$ 86.73
DRS Enterprises, LLC	009166	\$ 38.30
Electronic Communications	009167	\$ 290.00
Electronic Communications	009168	\$ 2,650.00
Farmers Union Oil Company – Beach	009169	\$ 4,465.39
Fisher Industries	009170	\$ 14,570.00
Gall's, Inc.	009171	\$ 415.46
George's Tire, LTD	009172	\$ 25.00
Golden Valley County	009173	\$ 11,424.86
Hampton Inn – Bismarck	009174	\$ 83.00
Hintz, Kadon	009175	\$ 2,000.00
Information Technology Department	009176	\$ 22.85
J P Steel & Supply, Inc.	009177	\$ 74.36
Jamestown Communications, Inc.	009178	\$ 102.00
Just-In Glass	009179	\$ 263.27
Kadrmass, Lee, & Jackson, Inc.	009180	\$ 61,646.21
Kasian, Connie	009181	\$ 84.50
Kasian, Michael E.	009182	\$ 155.25
Kastrow, Jason	009183	\$ 104.00
Kessel, Anita F.	009184	\$ 96.00
Kessel, Clara	009185	\$ 297.50
Kessel, Joseph L.	009186	\$ 300.70
Kohler Communications, Inc.	009187	\$ 400.00
Krush, Paul	009188	\$ 98.30
Lamb, Marcia	009189	\$ 338.70
Liberty Doors, LLC	009190	\$ 391.95
Mac's, Inc.	009191	\$ 170.23
Mackoff Kellogg Law Firm	009192	\$ 210.00
Mainstay Suites – Bismarck	009193	\$ 332.00
Medora, City of...	009194	\$ 154.82
Menards – Dickinson	009195	\$ 455.14
Metro-Billing Services	009196	\$ 532.00
Mid-American Research Chemical	009197	\$ 295.20
Midstate Telephone Company	009198	\$ 936.32
Midwest Doors, Inc.	009199	\$ 288.05
Motorola Solutions	009200	\$ 6,667.50

Mulligan’s Catering	009201	\$	343.56
Municipal Emergency Services, Inc.	009202	\$	734.26
N.D. Association of Counties	009203	\$	167.31
N.D. Association of Counties	009204	\$	220.00
N.D. Attorney General’s Office	009205	\$	310.00
N.D. County Auditors Association	009206	\$	200.00
N.D. County Treasurer’s Association	009207	\$	200.00
N.D. Cowboy Hall of Fame	009208	\$	200.00
N.D. Department of Transportation	009209	\$	1,772.00
N.D.P.E.R.S.	009210	\$	3,956.74
N.D. Sheriff’s & Deputies Association	009211	\$	50.00
N.D. State Radio Communications	009212	\$	1,543.80
N.D. State Treasurer	009213	\$	366.88
NDACO Resources Group, Inc.	009214	\$	1,840.19
Nelson International	009215	\$	1,287.31
Newby’s Ace Hardware	009216	\$	37.97
Northwest Tire, Inc.	009217	\$	1,814.60
Off Road Software, Inc.	009218	\$	695.00
O K Tire Stores	009219	\$	6,596.41
Pakor, Inc.	009220	\$	100.54
Parkway Ford Lincoln	009221	\$	965.93
Prairie Excavation, LLC	009222	\$	8,647.96
Pump Systems, Inc.	009223	\$	157.16
Putnam, Karen	009224	\$	51.15
Radisson Hotel – Bismarck	009225	\$	149.40
Ramada Hotel of Bismarck	009226	\$	85.00
RDO Trust 80-5800	009227	\$	960.90
Redmond, Perry & Alicia	009228	\$	1,500.00
Respond Systems	009229	\$	93.72
Roughrider Electric Cooperative, Inc.	009230	\$	2,984.43
Rummel Auto Wrecking	009231	\$	16.00
Rummel, Patrick	009232	\$	210.00
Runnings Farm & Fleet, Inc.	009233	\$	1,175.98
Saego Electric & Repair	009234	\$	92.80
Sax Motor Co.	009235	\$	335.74
Share Corporation	009236	\$	188.29
SimplexGrinnell	009237	\$	1,744.43
Smokin Ace Offroad	009238	\$	575.00
Southwest Business Machines	009239	\$	835.32
Southwest Multi-Co. Correction Ctr.	009240	\$	1,420.00
Southwest Water Authority	009241	\$	317.02
Southwest Water Authority	009242	\$	366.76
Southwestern District Health Unit	009243	\$	787.35
Spectra Associates, Inc.	009244	\$	31.95
Steffan Saw & Bike	009245	\$	176.96
Stein’s, Inc.	009246	\$	363.79
Taser International	009247	\$	1,030.93
Tczap, John	009248	\$	50.00
Team Laboratory Chemical Corp.	009249	\$	744.00
Thos Y Picket & Co., Inc.	009250	\$	15,000.00
Tom’s Service Center	009251	\$	92.00
U P S Store	009252	\$	39.30
Uniform Center	009253	\$	1,519.74
Verizon Wireless	009254	\$	1,890.89
Wal-Mart	009255	\$	113.92
Warne Chemical & Equipment Co.	009256	\$	90.00
WatchGuard Video	009257	\$	5,203.00
West Dakota Oil, Inc.	009258	\$	15,566.66
West Plains, Inc.	009259	\$	16,000.00
Westlie Truck Center	009260	\$	4,115.38
Job Service North Dakota	009263	\$	1,274.23
N.D.P.E.R.S.	009265	\$	31,464.65
Century Link	009269	\$	518.43
Consolidated	009270	\$	232.19
Discovery Benefits, Inc.	009271	\$	83.00
Hagen Farms, LLC	009272	\$	18,255.45
Information Technology Dept.	009273	\$	480.55
Medora, City of...	009274	\$	226.66
Reservation Telephone Cooperative	009275	\$	40.53
Visa	009276	\$	4,766.27
Visa	009277	\$	951.44
Dakota Insurance	009278	\$	83,884.00

Payroll in the following amounts were approved for March: General Fund \$130,486.19; Road and Bridge Fund \$100,467.80; Weed Fund \$6,605.32.

With there being no further business, Kasian moved to adjourn the meeting 1:35P.M. Kessel seconded. All voted aye.

James Arthaud, Chairman

Attest: \_\_\_\_\_

Marcia Lamb, Auditor/Treasurer

